IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 769 (S/S) of 2006

Chandrabhan,
S/o Sri Alopi Ram,
Rishikul Vidyapeeth, Bharahmehar Ashram,
Near PWD Office,
Tehsil and District – Haridwar. ……Petitioner

V e r s u s

1. The District Magistrate, Haridwar, District – Haridwar.
2. Sub Divisional Magistrate, Haridwar, District – Haridwar.

……..Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Vivek Shukla, learned counsel for the petitioner and Sri Paresh Tripathi, learned standing counsel for State of Uttaranchal, on behalf of respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

(a) issue a writ, order, or direction in the nature of Certiorari quashing and setting aside the impugned order dated 24.04.2006 passed by respondent no. 1 which is Annexure No. 1 to this petition.

(b) Issue a writ, order, or direction in the nature of Mandamus commanding and directing the respondents to make petitioner join on his service of Driver in the office of Tehsildar, Lakshar, District – Hardwar.

(c) To issue a writ, order or direction in the nature of as this Hon'ble Court may deem fit and proper in the circumstances of the case;

(d) Award the cost of the petition to the petitioner.

Vide order dated 24.04.2006 passed by District Magistrate, Haridwar, petitioner has been suspended for certain charges which are serious in nature. By the aforesaid order Sri Uttam Singh Chauhan, Tehsildar, Haridwar has been appointed as Inquiry Officer.

Considering the seriousness of the charges levelled against the petitioner, I don't find it proper to interfere with the impugned order passed by respondent no. 1 under Article 226 of the Constitution of India at this stage.

Learned counsel for the petitioner has submitted that vide order 24.04.2006 Tehsildar, Haridwar was appointed as Inquiry Officer but till date he has not received chargesheet.

In view of the fact that petitioner has been suspended on 24.04.2006 and after one and a half month he has not received chargesheet, I direct the respondents to furnish the copy of chargesheet within a period of fifteen days from date of production of certified copy of this order and complete the inquiry within a period of three months from the date of furnishing of chargesheet upon the petitioner. Petitioner is also directed to produce the certified copy of this order within a period of ten days from today.

With this direction the writ petition is finally disposed of. No order as costs.

(M.M. Ghildiyal, J)

June 15, 2006
SKSharma